

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

SUSAN ELIZABETH TUCKER,)	
)	
Plaintiff,)	2:23-cv-5124-DCN-MGB
)	
vs.)	COMPLAINT
)	(JURY TRIAL REQUESTED)
T-MOBILE USA, INC.,)	
)	
Defendant.)	
)	

The Plaintiff, Susan Elizabeth Tucker, by and through her undersigned attorney Bonnie Travaglio Hunt of Hunt Law LLC, does hereby make the following claims and allegations against the Defendant T-Mobile USA, Inc.:

JURISDICTION AND VENUE

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000e, *et seq.*). The jurisdiction of this Court is invoked to secure protection of and redress deprivation of rights guaranteed by federal law and state law which rights provide for injunctive and other relief for illegal discrimination in employment.
2. This action is brought pursuant to the Title VII for discrimination based on Religion and Retaliation for having complained of discrimination.
3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1331 as this matter presents a federal question.
4. All parties and events herein mentioned are within the jurisdiction of this Honorable Court.

5. The Charleston Division is the proper venue for this action pursuant because this is the District and Division in which Ms. Tucker resides and in which a substantial part of the events or omissions giving rise to the claims occurred.
6. This Court has jurisdiction over the parties and subject matter and venue is proper.

PARTIES

7. Ms. Tucker is an individual who resided in the State of South Carolina at all times relevant to this action.
8. At all relevant times to the allegation in this complaint, Ms. Tucker was an employee of the Defendant as defined by State and Federal Law.
9. At all relevant times, Defendant, T-Mobile USA, Inc. has continuously been doing business in the State to South Carolina and within the jurisdiction of the Court.
10. At all times, relevant to the allegations in this Complaint, the Defendant employed more than 20 persons in the State of South Carolina.
11. At all times, relevant to the allegations in this Complaint, the Defendant operated a facility in the State of South Carolina.

PROCEDURAL HISTORY

12. That on July 14, 2022, Ms. Tucker submitted her Initial Inquiry through the EEOC's portal.
13. Ms. Tucker's Initial Inquiry statement set forth the following:

What Reason(s) were you given for the action taken against you?

March 2020 - Due to Covid lockdowns, nearly all T-Mobile call center employees were sent home with computer equipment to work from home. The exceptions were those that for various reasons could not work from home due to internet connectivity. Senior leadership remained onsite as well.

June 2021 - T-Mobile Charleston Call Center began requiring leadership and new hires onsite a few days a week to transition all employees working again in the building. I began working onsite a few days each week at that time.

September 2021 - T-Mobile implemented a vaccine mandate requiring all employees reporting to the call centers across the nation to be vaccinated to enter the buildings. The date of October 25th was given allowing nonvaccinated employees six weeks to be fully vaccinated. Employees that could not get vaccinated for religious or medical reasons were offered to submit a religious or medical exemption accommodation request. Religious requests for accommodations were to be sent to the religiousaccommodation@t-mobile.com email box for a team handling the accommodation requests to review. The expectation was that requests should be submitted by October 25th. I submitted a religious exemption accommodation request on October 8th, detailing my sincerely held religious beliefs in a written letter telling my personal story of why I could not be vaccinated.

October 2021 - Employees were required to provide proof of vaccination status by uploading information to a website.

Employees that did not provide proof of vaccination status, their badge access to the buildings were deactivated.

Mid January 2022 - I had not yet heard anything regarding my accommodation request, I reached out to the religiousaccommodation@t-mobile.com email box, they replied back to me a few days later on January 20th stating that they were waiting for instructions on how to proceed.

February 25, 2022 - I was informed by two local Senior Managers, Christina Sustaita and Chris Bodkin that my religious exemption accommodation request was denied. They said that I could still get vaccinated and stay with the company. I asked did anyone read my religious exemption accommodation request, they said not locally, they were informed by corporate that the decision was that my request was denied and informed me that if not vaccinated, I would be terminated on April 2nd, 2022.

From the time that T-Mobile required the vaccine to be onsite forward, my manager, McKiver Brown and I had many conversations, nearly every conversation, he would ask me if I was vaccinated, would ask me to get vaccinated because he didn't know what he would do without me. I told him repeatedly that I had submitted my request for a religious exemption accommodation and shared with him some of my beliefs about why I could not get vaccinated.

He asked me to pray to God about getting vaccinated to which I responded, how about we pray to God so that I don't have to get vaccinated to keep my job. He said he could do that. Once the accommodation was denied, he continued to ask me if I would get vaccinated. We also talked about South Carolina legislation that had been introduced regarding the vaccine mandates, he said let's see if the pending South Carolina legislation gets passed, maybe you won't have to leave.

In a "Pipeline Meeting" Webex call, a recruiter manager was in attendance on one of the calls. I don't recall the exact date or his name, would have been February/March, but he said that they were watching South Carolina legislation very closely regarding the vaccine mandates.

March 29, 2022 - I was in a web meeting with our Charleston team members, the Senior Director, Gary Miller, the Resource Planning Manager, Jason Daniels, the Recruiter, Dee Wiley, and Learning & Development Manager, McKiver Brown. During this regularly scheduled meeting, business needs for headcount, new hire training, and future forecasting of headcount are discussed. On this occasion, due to the hiring freeze in call centers across the nation, Dee mentioned she was helping the new California and New York call centers that were opening. As they discussed the Charleston call center training schedule for new hires and removing future classes from the schedule, Jason Daniels stated that 2022 was the year of reduction (reducing headcount) and 2023 is the year of ramp up (increasing headcount). As the meeting was ending, Gary Miller asked me to call his cell phone directly after the meeting. I called as soon as the meeting ended. He asked me if McKiver had talked to me, I understood this was about the vaccine, I said nearly every time we speak, he asks me if I'm getting vaccinated. I went on to explain some of my beliefs to him and why I cannot get vaccinated. He listened and said, we don't want to lose you. I replied, my religious exemption request was denied. He said, I want you to resubmit it. I said it's been denied. He said if we get two no's, hey, we get two no's. I said, if you're asking me to, I will resubmit it. He said I'm asking you to. I said I will and will let you know when I do. He said okay. Within thirty minutes of getting off of the phone with Gary, I had resubmitted my request. I texted Gary a message to say, thank you for speaking with me, my request has been resubmitted. He said, my pleasure, let's see what happens. I then called my manager, McKiver to tell him I resubmitted and why in the event he were contacted. He said let's hope it gets approved. Within three hours of submitting my request, I received an email from religiousaccommodation@t-mobile.com stating that my request had already been reviewed, to see my manager, copied on that email was our Senior Human Resources Manager, Alicia Hayes. I then forwarded that email to Gary and McKiver so that they would know that my resubmission had not been considered.

April 1, 2022 - I spoke with my manager, McKiver Brown and Human Resources Business Partner, Ricardo Moyer.

They asked me if I was vaccinated and advised me that I would be separated from the company due to the vaccine mandate requirement. They told me a box with a prepaid shipping label would be sent to my home to pack the computer equipment to return the equipment back to the company. I asked could I drop it off at the building, Ricardo said that would be fine if I wanted to.

April 8, 2022 - I had not yet received the box to return the equipment, I called to coordinate dropping off the equipment with the captain of Security, Mike Downs. I turned the equipment over to him, he graciously brought my personal belongings from my desk to me as well.

After 22 years of employment with T-Mobile, I was terminated. T-Mobile violated my constitutional right for freedom of religion by denying my religious exemption accommodation request and terminating my employment.

Was anyone in a similar situation treated the same, better, or worse than you?

I am the only employee that I know of personally that submitted a religious exemption accommodation request and was terminated for the vaccine mandate requirement.

There were some employees that submitted requests that were approved, allowing those employees to continue working from home until July of 2022, at which time they were required to return back to the building to work onsite.

There were others that were terminated for not getting vaccinated for the vaccine mandate requirement, but did not submit an exemption accommodation request.

Please provide name(s) and email and/or phone number of anyone who will support your claim, and briefly describe the information this person will provide.

I supported our local senior leadership team for many years. T-Mobile managers have been directed not to confirm or deny employment status of employees current or previous, I am not sure any would speak on the matter, but all of the local leadership in Charleston were aware that I was terminated in the vaccine mandate requirement. Senior managers, our human resources team, my manager, many of my co-workers were also aware that I submitted an exemption request and because I was still working from home, they all were aware that I had not been vaccinated. I will list below a list of some of the managers that knew I submitted a religious exemption accommodation request:

Gary Miller, Sr. Director - Gary.Miller@T-Mobile.com

*Chris Bodkin, Sr. Manager - Christopher.Bodkin@T-Mobile.com - or
Chris.Bodkin@T-Mobile.com*

Christina Sustaita, Sr. Manager - Christina.Sustaita@T-Mobile.com

Octavia Smith, Sr. Manager - Octavia.Smith@T-Mobile.com

McKiver Brown, L&D Manager (My direct manager) - McKiver.Brown@T-Mobile.com

Ricardo Moyer, HR Business Partner - Ricardo.Moyer@T-Mobile.com

Alicia Hayes, Sr. HR Manager - Alicia.Hayes@T-Mobile.com

There were several other employees that knew because I had conversations with them, but the above list are members of our leadership team that knew because they were privy to the conversations and knew the circumstances of my termination.

Please tell us any other information about your experience?

April 26th, 2022 - South Carolina Governor signed an Executive Order that states that religious and medical exemption accommodation requests must be honored. During meetings that I had attended before my termination with the company, leadership was discussing the effects of the vaccine mandate on headcount, I learned that management at T-Mobile managers were watching for the South Carolina legislation to pass into law as they were implementing vaccine mandates. It was also stated by our Resource Planning manager in these meetings that 2022 is the year of reduction, reducing headcount. 2023 is the year of ramp up and hiring.

July 7th, 2022 - My position across the nation was eliminated, severance packages were given to those in my position that were still with the company at that time. After 22 years with the company, I was denied my religious exemption accommodation, terminated, and received no severance.

T-Mobile implemented a vaccine mandate, requiring employees to get the vaccine to remain employed or to be approved for an accommodation and as a result, I was terminated. T-Mobile violated my constitutional right for freedom of religion by denying my religious exemption accommodation request and terminating my employment.

14. The EEOC drafted a charge of discrimination from Ms. Tucker's online inquiry questionnaire.

15. That on August 25, 2022, Ms. Tucker filed a charge of discrimination with the EEOC alleging Religious Discrimination and Retaliation.
16. That the Charge of Discrimination set forth the following:

I. On February 14, 2000, I began my employment with the above-named employer as a Finical Services Collections Agent. Since my hire I have been promoted numerous times. On October 08, 2021, I submitted a religious accommodation request to be exempt from taking the COVID 19 vaccine. On February 25, 2022, I was informed that my religious accommodation was denied. II. My employer denied my religious accommodation request stating that it was not based on a sincerely held belief. I believe the reasons for the denial of my request were pretextual. My employer has granted exemptions/accommodations to others. My employer no longer requires the vaccine and permits individuals to work in the facility unvaccinated for those who received exemption/accommodation approvals. My employer refused to return me to work and made a pretextual attempt to have me fill other positions that were not available. III. I believe I have been discriminated against because of my religion, (Christian), and retaliated against in violation of Title VII of the Civil Rights Act of 1964, as amended.

17. That the EEOC Transferred Ms. Tucker's Charge of Discrimination to the Miami District Office for Processing.
18. That the EEOC conducted an investigation.
19. That Ms. Tucker requested her right to sue on August 17, 2023, by Email to her EEO investigator.
20. That the EEOC issued a Right to Sue on August 21, 2023.
21. The Right to Sue set forth:

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will

be lost. (The time limit for filing suit based on a claim under state law may be different.)

More than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

22. That not more than 90 days have passed since the issuance of the Right to Sue.

STATEMENT OF CLAIMS

23. The Defendant has engaged in unlawful employment practices regarding Ms. Tucker and her religious beliefs.
24. That Ms. Tucker is a Christian female over the age of 40.
25. That Ms. Tucker has deep religious beliefs. As part of those religious beliefs Ms. Tucker sincerely believes that life is God's gift to humanity and abortion is severe violation of the commandments and Bible.
26. That Ms. Tucker was hired by the Defendant's predecessor, SunCom Wireless. SunCom was acquired by T-Mobile in 2008. Ms. Tucker was employed with the Defendant for 22 years.
27. Ms. Tucker held several different positions with the Defendant:
 - a. Ms. Tucker was hired in February of 2000 as a Financial Services Collection Representative.

- b. In November of 2000, Ms. Tucker was promoted to a Financial Services Business Collections Lead.
- c. In June of 2001, Ms. Tucker was promoted to Financial Services Business Collections Interim Supervisor.
- d. In August of 2001, Ms. Tucker was promoted to Financial Services Projects Lead.
- e. In February 2003, Ms. Tucker was promoted to Financial Services Communications Liaison/Trainer.
- f. In September 2003, Ms. Tucker was promoted to Training Specialist which she held until SunCom was sold to T-Mobile in February 2008.
- g. In February of 2008, Ms. Tucker was promoted to the position of Customer Service Trainer.
- h. In February 2009 Ms. Tucker was promoted to Associate Director Administrator Assistant II.
- i. In August of 2016 Ms. Tucker filled a Project Role as A Recruiting Specialist Assistant.
- j. In February of 2017 Ms. Tucker was promoted to Learning & Development Administrative Assistant II which she held until her termination in April of 2022. Ms. Tucker's duties and responsibilities included:
 - Provided administrative support to Senior Leadership and Learning and Development Team, recorded meeting minutes, remotely managed training calendar and logistics of new hire training facilitated both onsite and virtually, partnered with recruiting for new hire rosters, assigned training rooms, partnered

with Facilities/IT to ensure training rooms and equipment were maintained, scheduled new hire training meetings, setup attendance trackers for Trainers, added employees to email distribution lists, requested quality observations, resolved new hire computer and profile issues, coordinated travel as needed

- Attended L&D Manager meetings, identified best practices, participated in strategic planning and quarterly business review meetings, attended meetings with peers nationwide to collaborate on resolving pain points, ensuring consistency in procedures across 17 call centers
- Created and managed sitewide Cornerstone online training reports, resulting in increased completion rates of online training
- Partnered with local Admin Team to coordinate virtual and onsite events for product launches, employee recognition planning, implementation of programs and events, best place to work events, JD Power Award celebrations, executive leadership visits, arranged travel accommodations as needed, completed, and submitted purchase orders, and Concur expense reports

28. That throughout Ms. Tucker's employment Ms. Tucker was issued various policies and procedures that governed her employment. These policies and procedures included compelling a culture of Diversity and Inclusion. T-Mobile embraced this culture by making several statements which included:

- a. "Diversity and Inclusion Are in Our DNA – and Always Will Be!"
- b. "Our culture of diversity and inclusion. It's key to our culture and our success – and it will continue as a key aspect of who we are – with the New T-Mobile."

- c. "This is not corporate BS. Creating a culture of diversity and inclusion (D&I) has been in the T-Mobile DNA since the Un-carrier was born. Let me put it this way. If you were building a company that planned on breaking all the rules in the industry, would YOU want employees who fall in line with the same old cookie-cutter mold? NO!!! The Un-Carrier has been built to break down barriers and rewrite the rules. To truly serve customers in every corner of the U.S., we need every voice, perspective and imagination we can get!"
- d. "Here at T-Mobile we like to say "Be you!" And we mean it! We know it is our diverse and passionate workforce that fuels us and has helped us become the best at what we do... just imagine what this means for the New T-Mobile. We will be unstoppable!"
- e. "Our employees foster a sense of belonging. It's good for them, for our customers, and for our communities. The meaningful relationships we build set us apart from the rest."
- f. "We embrace diversity and inclusion—not just because it's the right thing to do. Our diverse employees (and customers!) help us break down barriers and rewrite the rules. It's our culture, and it makes T-Mobile an invigorating place to work."

29. That the Defendant had several policies and procedures that governed the employees. Many of those policies set forth that the Defendant did not discriminate, retaliate, or subject to any employee to differential treatment.

30. That throughout her employment Ms. Tucker was considered an exemplary employee.

31. In December of 2020, the CDC became aware of COVID-19 in China.

32. On January 3, 2020, the CDC Director became aware of a mysterious respiratory illness spreading in Wuhan region of China.
33. On January 5, 2020, the World Health Organization reported a pneumonia of unknown cause. On January 8, 2020, the CDC issued its first public alert regarding the Coronavirus. On January 21, 2020, the United States had its first confirmed case of COVID-19.
34. In January 2020, Ms. Tucker's reporting structure changed. Ms. Tucker's L&D Manager, Janique Prioleau, was promoted. The Call Center had experienced growth and it was determined that the three Administrative Assistants would be reassigned. Despite reassignments, Ms. Tucker was going to continue to support Janique Prioleau, the Trainers, Assistant Trainers, New Hires and support other Senior Managers that she had in the past. Ms. Tucker would also began to support Chris Bodkin, Octavia and four other manager in the Closed Loop Department. Periodically Ms. Tucker's assignments would change and she would support Senior Managers interchangeably.
35. In March of 2020, the COVID virus became predominant in the United States and many employees were ordered to work from home.
36. In March of 2020, T-Mobile had approximately 1,130 employees in the location that Ms. Tucker worked in.
37. In March of 2020 and the days leading up to the evacuation of the T-Mobile Building, employees were not required to wear facemasks and gloves. As T-Mobile began to implement the work from home, T-Mobile IT employees packed up boxes with computer,

monitor, mouse, headset, keyboard, surge protector, ethernet cable and instruction on how to set up when at home.

38. The plan for the location was that from March 23rd to 17th the employees would be driving up to a tent, pop their trunk or back door, where a computer would be loaded, and they were to take the computer and equipment to their homes to work.
39. On March 26, 2020, Ms. Tucker was still working in the building when she was instructed to pack up her computer and “Get the hell out of here” by a manager.
40. When Ms. Tucker arrived home, she called Janique Prioleau and informed her that she was sent home and was setting up her computer and equipment.
41. On March 27, 2020, Ms. Tucker began working from home. The only persons that were not working virtually were limited number of persons for home internet connectivity issues and senior management who worked hybrid schedules.
42. The L & D Team was evacuated from the building during the lockdown. The Training Teams did not have any training classes beginning until October.
43. Ms. Tucker began working with the Recruiter and Partnering with L&D Admins throughout the nation to begin outlining the processes for new hires and onboarding of new employees through the virtual process. Ms. Tucker worked with the IT Department to set up online tools for the teams to utilize a virtual training room environment, set up processes for getting equipment and profiles set up for new hires. Ms. Tucker further worked with Facilities and Security teams to coordinate onsite equipment pickup and initial logins during equipment pickup. As a result to the work accomplished by Ms.

Tucker and the team, the Recruiter and Hiring Team moved forward with preparation to hire for classes starting in October.

44. On April 1, 2020, it was announced that T-Mobile and Sprint had merged. The T-Mobile CEO would be leaving and the new CEO would be Mike Sievert. At a local level, Roland Finch would continue to be Senior Director.
45. In June of 2020, Roland Finch accepted a new position and Gary Miller from Chattanooga, Tennessee moved to Charleston to take over the Senior Director position.
46. In late June and early July there was a company wide lay-off where approximately 27 of the Charleston call center leaders were separated with severance packages.
47. After the July 2020 lay-off the Charleston call center went through a restructuring with the administrative assistants. Ms. Tucker would continue to support L&D, Octavia Smith, and Closed Loop Managers. Ms. Tucker would report to Octavia Smith. The Senior Management that Ms. Tucker was now reporting to instructed the Administrative Assistants to attend Senior Manager meetings, take notes and participate in leadership meetings.
48. Prior to COVID-19, T-Mobile had a culture of appreciating and celebrating employees. T-Mobile celebrated milestones, achievements, holidays and strived to make the Charleston Call Center a “Best Place to Work.” Needless to say, when the employees moved to work from home due to COVID-19 this presented challenges to continue the culture. In order to continue the culture, the employees would hold meet ups online, played online bingo, played virtual games and T-Mobile gave gift cards. The Team

learned to do celebrations virtually and engage more Slack, Teams meetings, and utilized social media platforms to do so.

49. With the Summer, the Leadership Team wanted to engage employees more on a face-to-face basis. T-Mobile began to offer opportunities to come onsite for certain events.
50. In August of 2020, Ms. Tucker participated in a onsite school supply drive-up. Where employees were provided snacks for their children and school supplies were distributed in the parking lot.
51. In September of 2020, Management decided to have Voter registration drive for the employee. The Employees came to Call Center and had a drive-up to complete online voter registration with electronic tablets. Ms. Tucker participated in this event with the Director, Tiara Mosley. The Voter Registration Drive had non-employees as well as employees participating.
52. In September of 2020, Ms. Tucker began participating in all Leadership Meetings to take notes. Ms. Tucker's primary focus was working with all departments, Facilities, IT, RP, Business Support, Helpdesk and Security to ensure that new hires were set up for success.
53. In October of 2020, T-Mobile began holding virtual new hiring training classes that were back to back. Every available Trainer had a virtual class. Assistant Trainers as well as Coaches were pulled in to facilitate the needs of the business.
54. In November of 2020, Leadership wanted to encourage employees to start thinking about returning to the building to work onsite. In preparation for this undertaking, Leadership held a movie night in the parking lot for families. Ms. Tucker participated on site.

55. In November of 2020, Ms. Tucker was on site to participate in the T-Mobile traditional Holiday dinner Giveaway. Ms. Tucker participated by distributing gift cards to Publix grocery.
56. In December of 2020, Ms. Tucker's father became ill with double pneumonia and Covid. Ms. Tucker's father passed away on December 19th.
57. On December 18, 2020, Ms. Tucker participated in delivering food for the holiday celebration at T-Mobile for Octavia Smith's Closed Loop Team.
58. In January of 2021, New hire training was continuing full force. However, T-Mobile struggled due to the fact that COVID unemployment benefits were high and more appealing than working for many people.
59. In February 2021, COVID cases were on the rise. However, training classes were continuing back-to-back. The trainers were feeling the pressure of non-stop training.
60. In March of 2021, Janique Prioleau, L&D Manger, moved into lateral position, relocating to Richmond, Virginia. Candice Dessausure who was a trainer applied for and was made the interim L&D Manager. During this time, it was being discussed that new hire training would be moved back onsite. Candice shared with Ms. Tucker that Gary Miller the Senior Director wanted 100% of employees vaccinated to return to the building.
61. In April of 2021, Senior Management was pushing for the new hires to receive training onsite. The Rational was that they believed that if they were able to build relationships with employees there would not be a high turnover rate. If the new hire tested positive for COVID they were placed on quarantine at home and then were put in the next new

hire class. There was an urgency from Senior Management to get new hires in the training classes.

62. On May 6, 2021, Ms. Tucker was invited to a Mother's Day Appreciation by Octavia Smith at Hall's Chophouse. Ms. Tucker planned to attend but had car trouble the day of the event and was unable to go.
63. On May 26, 2020, Ms. Tucker attended a Beach outing with Leadership at a rented beach house on Isle of Palms. A caterer was hired and bar tender for the teams to come together for a day of fun on the beach. The attendees were bussed to the beach house and back to the call center site. While at the beach, Ms. Tucker and others participated in tug of war games, good food, drinks. There was no social distancing, no masks and no vaccine requirements.
64. In June of 2021, T-Mobile Charleston Call Center began requiring leadership onsite two days a week to transition all employees into again being in the building. Ms. Tucker began working on site a few days a week. While in the Center, Ms. Tucker attempted to wear a mask. However, due to heightened anxiety Ms. Tucker struggled with the mask mandates. Ms. Tucker's anxiety was due to past trauma and every time she wore a mask she suffered extreme anxiety. Management was aware of Ms. Tucker's struggles. Ms. Tucker explained her struggles during a Webex meeting. The struggles were the result of childhood trauma. During this particular Webex Meeting, Ms. Tucker was asked by Management if she was vaccinated. Ms. Tucker informed the Director that she was not vaccinated and could not get the vaccination because of her religious beliefs.

65. In June of 2021, the back patio of onsite was opened for teams to have cookouts. These were coordinated by Security and Facilities.
66. Also in June of 2021, there was an onsite Luncheon in Appreciation for Support groups. Ms. Tucker attended the Luncheon. There were no masks, no social distancing and all parties were seated in a café setting while others were seated on the patio.
67. In June and July of 2021, T-Mobile arranged for a COVID shot clinics onsite for anyone who wished to get the vaccine. Each person that received a vaccine also received a gift card for their participation.
68. In June and July of 2021, many of the leadership meetings and conversations were turning to COVID and all persons obtaining the vaccine. Many of the employees were requesting Leave of Absences with pay and without. Attrition was spiking due to the discussions of requiring employees to return to the office.
69. In June and July 2021, L&D was struggling. The Trainers were suffering from burnout and exhaustion. Many of the Trainers were taking Leave of Absence or were taking positions in other departments due to the work environment. At the time, there were many internal complaints regarding Gary Miller and Tiara Moten failing to listen to employees, especially trainers who were not getting any time off. Gary Miller committed to do better and improve communications with L&D.
70. In July 2021, to celebrate the reopening of the site, the Charleston Site provided a lunch for employees. It was arranged for three food trucks to be present. However, one was a no show due to COVID and another failed to bring enough food. Due to the number of employees that showed up, Ms. Tucker along with other co-workers had to go to local

restaurants and grocery stores to acquire more food. Ms. Tucker and several other employees served all employees food. Ms. Tucker intermittently wore a mask. No vaccines were required for attendance.

71. In the Middle of July 2021, Ms. Tucker was working on site. Ruth Warren, another administrative assistant, was on vacation. Ms. Tucker was in the café at work when she received a call from Ruth. Ruth informed Ms. Tucker that she had received a phone call from the other administrative assistant Nicole Hunter asking if Ms. Tucker was vaccinated. Ruth Warren informed Nicole Hunter that Ms. Tucker was not vaccinated and that she could not get vaccinated. Ruth further informed Ms. Tucker that Tiara Moten spoke up on the call. During the call Tiara Moten acted as if she did not know Ms. Tucker was unvaccinated.
72. After that call, Ms. Tucker was in a meeting with Gary Miller and Nicole Hunter when Mr. Miller stated “how do we get people to wear their facemasks?” Mr. Miller pointedly looked to Ms. Tucker. At that time Ms. Tucker explained to Gary Miller that she suffered traumatic childhood abuse and because of debilitating anxiety could not wear a mask. Gary Miller assured Ms. Tucker that his comment was not directed at her.
73. The next morning Tiara Moten informed Ms. Tucker that she would be moving Ms. Tucker to another portion of the building away from others and that Ms. Tucker would be required to submit an accommodation request. Tiara Moten further informed Ms. Tucker that she would have to call Human Resources for an accommodation. Ms. Tucker was very confused by this requirement due to the fact that facemasks were not required to be worn in the building.

74. The next day Ms. Tucker received an email from Veronica Melendez in Human Resources. Ms. Melendez requested a meeting with Ms. Tucker. Ms. Tucker participated in a meeting with Ms. Melendez. Ms. Melendez asked if Ms. Tucker was vaccinated and if she was wearing a facemask. Ms. Tucker explained that she could not get the vaccine due to her religious beliefs. Ms. Tucker was further required to explain to Ms. Melendez why she was not wearing a facemask. Ms. Tucker was required to tell the story of her mother physically abusing her. Ms. Tucker explained that one night her mother attempted to take Ms. Tucker's life and when she forced a washcloth down Ms. Tucker's throat to muffle the sounds of her screams. Due to this fact, Ms. Tucker cannot stand anything over her face or mouth due to debilitating anxiety. Ms. Tucker explained that she had attempted to wear every type of mask but was not able to suffer the anxiety. Ms. Tucker was taken aback that she was required to substantiate not wearing a facemask to a stranger she had never met before. After the meeting Melendez instructed Ms. Tucker to call Broadspire, the company that handles FMLA/LOA requests for T-Mobile employees.

75. Ms. Tucker did as instructed and called Broadspire. Ms. Tucker explained to the representative of Broadspire her conversations with Tiara Moten and Veronica Melendez. Ms. Tucker informed Broadspire that Moten wanted to move her away from others. Broadspire informed Ms. Tucker that was not permitted because that was discrimination and segregation. Ms. Tucker informed the representative that she did not understand this process. Broadspire informed Ms. Tucker that she was required to obtain a doctor's note about not wearing a facemask.

76. Ms. Tucker immediately contacted her physician and submitted a doctor's note.
77. On July 27, 2020, Gary Miller sent an email with a link asking all employees to self-report their vaccine status by way of an attestation form.
78. From this time forward, all meetings attended by Ms. Tucker were consumed with COVID and Vaccines.
79. On August 7, 2021, Ms. Tucker had a day out with Ruth the other Administrative Assistant. They did some personal things and attended a work event at the site. The Administrative Assistants, to include Ms. Tucker and Ruth compiled baskets with snacks to welcome back each of the teams on site.
80. On August 8, 2021, Ms. Tucker attended a Sunday Brunch onsite for Employees in celebration of the merger of T-Mobile and Sprint migration. There was no issue with Ms. Tucker's attendance because she was needed to help with the Brunch.
81. On August 12, 2021, Ms. Tucker was contacted by Broadspire, the administrator of exemption/accommodation requests for T-Mobile. After discussing the phone call with Lisa Dojan interim L& D Manager and Octavia Smith, Senior Manager that Ms. Tucker Directly Reported to, Ms. Tucker was instructed to submit a request for accommodation. Ms. Tucker was continually on site. While on site there was constant discussion regarding wearing facemasks.
82. The interim L&D Manager, Lisa Dojan informed Ms. Tucker that it was ok for her to work from home due to the mask issue.
83. In August 2021, the voluntary resignations at the Charleston Call Center were at an all time high. Pre-COVID the call center had 1,139 employees and during this time frame

the headcount was down to 650 employees. After an analysis of the numbers, it was determined that the employees leaving were tenured employees not the new hires. It was projected that by the end of the year, most of the reps in the Charleston Call Center would have less than a year of service with T-Mobile.

84. Further in August of 2021, there were several different issues with management. Candice Dessasure's role as interim manager of L& D Manager ended. Lisa Dojan filled in as the L&D Manager for the month of August. Tiara Moten transitioned into an Interim Global Care role out of the call Center and all of her duties were moved to Gary Miller. T-Mobile also decided that Leadership was required to be back onsite in the call center three days a week, which included Admin Assistants.
85. As required, Ms. Tucker returned to the Call Center three days a week. Ms. Tucker and management were doing a lot to bring employees back to the building by offering free meal tickets and other incentives. The L&D team was in full swing with Trainers in the room and full new hire classes.
86. On August 23, 2021, T-Mobile announced that employees who were not vaccinated would no longer be allowed to enter the building after September 6, 2021. The Vaccine Requirement applied to all T-Mobile employees except for Retail and Cell Techs.
87. All employees that wished to have a religious or medical accommodation/exemption the request must be submitted by October 25, 2021. Effective immediately hiring was paused at all T-Mobile sites. T-Mobile determined that it was essential for each site to determine what new hires had been vaccinated. Up and until this was determined, new hires would be given a computer to take home to participate in training from home.

Trainers and assistant trainers who were not fully vaccinated were sent home until they were the submitted exemptions or proof of vaccine.

88. On August 24, 2021, it was announced by T-Mobile that the starting rate of pay for all new hires would be \$20.00 per hour.
89. On September 2, 2021, Ms. Tucker was on PTO from September 2 to September 20, 2021. When Ms. Tucker returned, she learned that she would not be reporting to Octavia Smith but to McKiver Brown, the L&D Manager. Ms. Tucker would continue to support Ms. Smith and her teams, which included Closed Loop and eight teams in Operations. Mr. Brown had no understanding what Ms. Tucker's position was and how much she supported the site. However, it was not long before Mr. Brown began to rely on Ms. Tucker and her expertise with L&D and her relationships with the team.
90. While working for Mr. Brown, Ms. Tucker was asked in every conversation whether or not she was going to be vaccinated. Mr. Brown informed Ms. Tucker on several occasions that others were getting vaccinated, and he valued her as an employee. Ms. Tucker felt that Mr. Brown was exerting pressure for her to get vaccinated.
91. October 2021 brought about changes with a new business model. More Trainers and Assistant Trainers were brought on to allow for other employees to take a break.
92. In the beginning of October 2021, Gary Miller called a meeting with L&D Department. All individuals were required to attend. Those who were not vaccinated were required to participate by Webex. Miller lectured on the fact that all T-Mobile employees were required to be vaccinated. Miller suggested that the unvaccinated may be required to have COVID testing at their own expense and increase their health insurance premiums

by a few hundred dollars. Ms. Tucker felt intimidated by the meeting and further felt she was being pressured to become vaccinated and succumb to the requests of T-Mobile to surrender her religious beliefs.

93. At this time, Miller reinforced that employees were required to submit vaccination status by October 25th via the vaccination verification website. Further the employees were informed that if they did not submit proof of vaccination their badges would be deactivated.

94. On October 1, 2021, Ms. Tucker obtained a letter from Rev. Gregory S. Cox to support her exemption/accommodation request. Reverend Cox's letter set forth the following:

October 1, 2021

To whom it may concern:

The free exercise of religious beliefs and practices is a right of conscience enshrined in the First Amendment of the Constitution of the United States, every state constitution, and in many state and federal laws. This fundamental liberty is central to what it means to be an American and must be preserved and protected for every generation.

*So important is that fundamental freedom that the Supreme Court has held that an individual's sincerely held religious beliefs "need not be acceptable, logical, consistent, or comprehensible to others" to warrant protection. *Thomas v. Rev. Bd. Of Ind. Emp. Sec. Div.*, 450 U.S 7070, 714 (1981). As Justice Clarence Thomas said, "...the guarantee of free exercise is not limited to beliefs which are shared by all of the members of a religious sect." *Thomas*, 450 U.S. 829, 715-16. To require confirmation showing an organization's doctrinal beliefs are contrary to the use of vaccinations is in and of itself unconstitutional.*

With that in mind, Susan Tucker is submitting a request for religious exemption from the COVID vaccine directive. Susan reached out to me and conveyed to me her religious convictions. They primarily focus on her prolife views as well as her belief that her body is the temple of the Holy Spirit. As an ordained minister of the Gospel, serving as a pastor for over four decades, I can speak to the sincerity of her beliefs and the legitimacy of this request.

Susan is a devout Christian. As such, she believes the Bible is the inspired and infallible Word of God. We encourage every believer in making important decisions for their lives to seek the wisdom of the Holy Spirit through prayer and Scripture reading and to follow their conscience as informed by the written Word of God and the leading of the Holy Spirit. We strongly believe in the Biblical sanctity of human life and the prohibition from the shedding of innocent blood. Many Christians, including Susan understand this prohibition includes ingesting or benefiting from products derived from aborted fetal cell lines.

The Bible also states that our bodies function as the temple of the Holy Spirit within us and that we should glorify God in our body. (1 Cor. 6:19-20). Susan holds to the sanctity of human life and strongly believes that to inject these COVID shots would violate these sincerely held religious beliefs and would be a sin against God. As Susan has stated, her commitment to Jesus is absolute, knowing He is her Savior, her Redeemer, her strong tower, her everything.

As an ordained minister, I believe her religious convictions are sincere and well-grounded in Scriptures. To violate conscience by doing an act contrary to these sincerely held religious beliefs is itself sinful. I strongly support a religious exemption and accommodation for Susan Tucker.

In service of the Lord Jesus Christ,

Rev. Gregory S. Cox. MPA, Ph.D. (Candidate), Ordained Minister

95. On October 8, 2021, Ms. Tucker submitted her request for Religious Exemption Accommodation. Ms. Tucker completed the Defendant's form and attached a statement supporting her exemption/accommodation request. The Request set forth the following:

Dear Religious Exemption Team,

My name is Susan Tucker, I began my journey at SunCom, now T-Mobile on February 14th, 2000. I work at the Charleston Call Center located in North Charleston, South Carolina. I have held several positions over the years, enjoying many opportunities and experiences along the way. I am currently in the role of Administrative Assistant supporting Operations, Closed Loop, Learning and Development training teams.

T-Mobile now requires all employees working onsite be vaccinated with the COVID-19 vaccine effective October 25th or to submit a request for a Religious or Medical Exemption for an accommodation to continue working from home until March 1st or as determined by T-Mobile. As an employee of a company that

embraces Diversity and Inclusion, I want to say thank you for allowing me the opportunity to submit a request for Religious Exemption.

In accordance with my rights protected by the United States Constitution, I am writing to request an exemption of immunization and vaccine requirements respectfully and formally. In this letter, I share my faith, my experiences, my beliefs, my religious perspective and what led me to the decision to object to vaccines for myself. I offer insights into my unique and personal relationship with God, His presence in my life that have led to my religious convictions today. Please accept this letter as my request for religious exemption.

As I share my beliefs and my faith, I humbly request that my letter providing details of my relationship with God be treated with the highest level of confidentiality in my request for exemption. To share intimate details of my relationship with God and supernatural encounters I have personally experienced with God is a private matter for me. I understand that to request an exemption, I must share some of why I believe as I do, but I respectfully request that my request be handled with as much confidentiality as possible.

My mother was raised as a very strict Catholic, attended Catholic school with nuns with rulers as she would say. My father was raised Baptist, his mother's father taught Sunday school for decades. My parents, after marrying, never attended church. I did not grow up going to church, rather I grew into my faith through trials and encounters with God Himself that started for me at birth. I was the second child born to my parents. When I was born, they already had a baby girl, during their second pregnancy, they hoped for a boy. Because my heart rate was slow in utero, my parents were anticipating the birth of a baby boy. When I was born, the doctors found the umbilical cord wrapped around my neck, this was why my heart rate was slow for a girl during the pregnancy. After learning through delivery that they

did not have a boy, my mother said to my father, "I chose the name for our first child, you choose her name." My father named me Brenda Gail Tucker, this is my birth given name recorded on my birth certificate.

When I was a few months old, my father who was in the United States Navy was deployed out to sea. My mother flipped through his high school yearbook and found a very friendly inscription by a girl named "Gail," my mother looked her up and coincidentally, her name was also Brenda Gail Tucker. My mother concluded that her husband named their second child after what she believed to be an ex-girlfriend of her husband. My mother was deeply hurt, became angry, bitter, and abusive towards me. The first recollection of abuse, my grandmother shared with me, I was nine months old when my mother slapped me across the face with a jelly shoe, my father asked why, she said, "I don't like the way she looked at me." My mother nicknamed me, "Daddy's Girl, named after Daddy's ex-girlfriend in high school," she mentioned this all the time as I was growing up. The abuse from my mother was physical, emotional, and mental.

Though I did not attend church as a child, I heard about God when I was four years old sitting on a swing in the backyard when a little girl told me we were

sisters in God's way, that we are all connected, that God was in Heaven. I asked her where Heaven was, she pointed to the sky. She shared with me that He loves us, and He watches over us, that He helps us, we only have to ask. I remember thinking, with the limited teaching she provided, that God was the man in the moon. I prayed to God for a few years thinking He lived in the moon. I did not know God then like I do today, but the lessons along the way have taught me that God is a loving God, kind, compassionate, and caring God, He cares about every detail in our lives, and He wants us to bring every burden to us because He cares for us (1 Peter 5:7).

The physical abuse at the hand of my mother escalated to the point that she nearly took my life. It was the most violent, most horrific moment and at the same time, there was peace in that moment. It was the Monday night before Thanksgiving 1987. Berkely County Department of Social Services (DSS) had been contacted months before by my guidance counselor at school after a friend reported abuse in the home. The DSS social worker set up counseling sessions that my mother agreed to. We were supposed to have gone to counseling that night, my mother refused to go, she canceled the session, said she did not need it. That evening, the physical abuse escalated, I was afraid she was going to kill me that night. I screamed hoping a passerby would stop to help or interrupt or call for help. My mother shoved washcloths into my mouth to muffle the screams to the point of tearing the skin on and around my lips, she applied so much pressure to my skull that I could not scream anymore, I could no longer move, I felt warmth, an overwhelming peace, and everything became white, bright white. Very suddenly, my mother stopped, I felt a jolt, and the bright white faded back into the reality of the moment. I began coughing up blood and when I looked up at her, she was shuffling her shoulders. I thought she hurt herself, but God showed me years later as I had been fasting, praying, and seeking Him that in that moment, it was as if I were watching a video of the whole scene playing out from behind my mother, when she was applying pressure to my skull, Jesus came from nowhere, from behind my mother, grabbed her by the shoulders, and pulled her off of me. I did not know it that day, but today, when I say that Jesus is my Savior, what I mean is that Jesus IS my Savior, He has saved me spiritually and supernaturally by His blood, but He saved me physically that night in the natural.

Soon after, I was removed from the home and placed in foster care. I felt that by being born, I was the cause of so much pain for my mother, for my family, that was not who I ever wanted to be. It seemed

the root of the pain started with my name. At age 18, I felt led to legally change my name to Susan Elizabeth, I wanted a new life, to never be "Daddy's Girl" again. It was the only thing within my control that I could change at that time in my life. I could not change the memories but hoped that my mother could see that I did not want to cause her pain or to be a part of what had for so many years. Having not been raised attending church, not knowing the Word of God as a child, or knowing scriptures from The Bible, for me, it has been a case of God finding me where I was rather than me finding God. Today, I believe not only because of

what I have learned from Bible teachings and studying, but also because of my own personal encounters with God, my personal supernatural experiences. The Bible is a wonderful foundation of teaching, it provides insights into who God is, His character, but to know God through experience and encounters is where my faith was built. I came to know God before I came to know His Word. Not growing up in church, I did not have teachings from pulpits, but by God's grace, He placed people in my life to teach me about Him in the moments that I needed Him. One of the trials I have endured was when my daughter was born blue and spent her first month in the Neonatal Intensive Care Unit with a dedicated nurse. She had pneumonia, respiratory failure, her lungs collapsed, jaundiced, pericardial effusion that required a pericardiocentesis, she was placed on ventilators, oscillating machines, and at one point, she was hand bagged for hours by her doctor. The doctors told my husband and I that they believed she had an infection but could not determine whether it was viral or bacterial or how she came to get it and worse, they did not know how to treat it or what to do for her. We saw our baby girl in various shades of blue, yellow, red, pink, purple and the doctors could not figure out what was going on with her or why. They told us, the best case for her was an oxygen tank for the rest of her life, worst case was fatal. They asked us, "With a grim prognosis, how much do you want us to do for her?" My husband who had been raised going to church asked for the Chaplain to baptize and anoint her with oil. My response was, "I carried her through a difficult pregnancy, I'm taking her home with me, there is nothing you will not do for her." I asked a friend that night, a Godly woman, a praying woman, "Why would God allow her to be sick?" She replied, "It is not God that wants her sick, it is Satan that seeks to kill, steal, and destroy." It was my first lesson in spiritual warfare. I went into the chapel with my husband, we signed the guest book and sat on a pew, I remember thinking, he knows how to pray, he will pray, I did not know how to ask God for my child to live. In that moment, even my husband was struggling to find the words. Something in me rose up, I opened my mouth and the words flowed, it was as if I was hearing someone else speaking through me. I listened very intently, I prayed for her to be perfectly healthy, to have the ability to run, that her lungs would be strong, I wept as I continued to pray from deep within my heart, I prayed with the heart of a mother, from the heart of God for one of His little ones, I groveled for my daughter's life and for good health. Almost immediately after that prayer, there was a nurse looking after our baby girl, his name was Courtney, it was his first shift looking after her. He offered for me to hold her, I told him I couldn't because she had so much going on with the machines, the tubes, the wires, the sensors, the lights, I felt holding her would upset the tubes and wires that were helping her to breathe. He assured me I could sit in a rocking chair, he would lay a pillow on my lap, and lay her on the pillow, it would stabilize her, and I could hold her on the pillow. I could only hold her for four hours before they had to take blood from the arterial line going into her heart to test her oxygen levels in four-hour increments. She was eleven days old. It was the first time I was able to hold my baby. I wept as I rocked her, so excited to

hold her, I could not remember one lullaby, I prayed over her, tears rolled from my cheeks onto hers. It was the first time I felt like her mother since giving birth to her. The next day, she came off the ventilating machine, the following day, she came off the oxygen and she has not been on oxygen since. The doctors could not tell us what happened that caused her to recover so quickly or why. I went looking for nurse Courtney that let me hold my daughter that night to thank him, I somehow knew that moment was what brought about the change. As I inquired about him, no one working in the NICU had ever heard of him, there was no record of a nurse Courtney looking after her in her medical record. I believe he was an angel sent by God to place my daughter in my arms, that God healed her perfectly. She will be twenty-six years old in January, I thank God for the miracle He did for us, for her, for the life she has today because of the healing He did in her.

I have also personally received healings after being prayed over. One instance was in 2009, I was in a car accident where God intervened and sent help for me as I made a trip to see my mother as she slipped into a coma just before she passed away. I came upon snow on the interstate, the roads had not been cleared just inside the North Carolina border, I hit black ice, danced with a guardrail, totaling my car at 2 am. A vehicle stopped to help me, they offered to keep me warm until the state highway patrol arrived to tell us, the roads were closing. He said, you won't get a tow truck out here tonight and told me I had to stay with the car until it was towed. The good Samaritans that stopped to help me offered to stay with me until my vehicle was towed. Just then, a tow truck pulled up. The officer said to me, "The man upstairs is looking out for you." I told him, yes, Jesus. I called Him before the car hit the guardrail." I was very fortunate that I was able to walk away from the car that night. When the insurance adjuster looked at the car, he asked how long I was in the hospital, he was shocked when I told him that I never did go the hospital. As a result of the accident, I had terrible lower back pain, it felt like bone against bone. Three weeks after the accident, I went for chiropractic care but continued to have pain. I went for prayer at a church conference where I was prayed over. The next day, the pain was gone, and I thank God, it has never returned. As His Word says, by His wounds we are healed.

My faith and what I believe comes from my personal supernatural experiences and a foundation in the Word of God. I have served in church as a member of prayer teams, praying for others, serving communion during services, caring for children, working with the youth, and I have been blessed to see and hear of God answering many prayers for healings spiritually, physically, relationally, emotionally, and financially, prayers that I have prayed have brought healing and answers to prayers. Because of my experiences and my relationship with God, I am sensitive to God's presence in my life. I have been invited to share my testimony and have spoken publicly in churches and group homes to give my testimony of what I have endured, how God has been there. He has always been there as He says in His word, "I will never leave you nor forsake you." I

struggled for many years, questioning why I had to endure all that I had. God brought my attention to scriptures.

2 Corinthians 1:3-4

God of All Comfort 3 Blessed be the God and Father of our Lord Jesus Christ, the Father of mercies and God of all comfort, 4 who comforts us in all our affliction, so that we may be able to comfort those who are in any affliction, with the comfort with which we ourselves are comforted by God.

In my faith, I have come to know Jesus as my Lord and Savior, the only begotten son of God. For God So Loved the World 16 “For God so loved the world,[a] that he gave his only Son, that whoever believes in him should not perish but have eternal life.

Jesus bore stripes for my healing, and He gave His life for me on the cross, He is my Redeemer. In my personal experiences, I have learned that God will heal what doctors cannot understand. Regarding my daughter, the doctor’s grim prognosis of an oxygen tank for her for the rest of her life or worst case fatal, God healed her that she would never again require oxygen, for this I am eternally grateful. God healed my lower back when chiropractic care could only provide temporary relief of the pain and I am forever grateful for His healing for me. I am a sinner. Jesus died on the cross for my sins. By His blood, I am healed, I am cleansed, and I am whole. My faith is in Him. Isaiah 53:3-6 5 But he was pierced for our transgressions; he was crushed for our iniquities; upon him was the chastisement that brought us peace, and with his wounds we are healed. 6 All we like sheep have gone astray; we have turned—everyone—to his own way; and the LORD has laid on him the iniquity of us all.

The Bible teaches that my body has been bought with the price of the blood of Christ, that I am cleansed by His blood, that my body is a sacred temple, and I am to care for it as a member of the body of Christ.

1 Corinthians 6:19 19 Or do you not know that your body is a temple of the Holy Spirit within you, whom you have from God? You are not your own, 20 for you were bought with a price. So glorify God in your body.

Romans 12:5 5 so in Christ we, though many, form one body, and each member belongs to all the others.

I seek to be more sensitive to the things of God, to hear His voice, to see visions, and dreams through prayer and fasting. I began fasting in 2009 with a Daniel Fast referenced in The Bible where I ate fruits, vegetables, nuts, but no meats. It was during that fast that God healed plantar fasciitis for me. In seeking the Lord, I was led in following years to consume only juice for forty consecutive days and eventually, water only fasting for forty consecutive days. Fasting and prayer are part of my spiritual life and my faith walk. Prayer is conversation with God, fasting detoxes us spiritually and in this, I have become more sensitive to the things of God while my body detoxes physically allowing my body to heal itself as God designed the body to do. In Matthew 6:16 Jesus said, “When you fast..” Jesus teaches that fasting is part of our lifestyle. Jesus Himself fasted for forty days, He gave us the example to live as Christ lived. Fasting cleanses my body of

impurities, toxins, spiritually and physically, keeping my body sanctified. He teaches that there are some things that can only be removed by fasting and prayer. In my experience, fasting is a physical cleanse of the body, a detoxification that allows the digestive system to rest enabling the body to do as God created it to do in healing itself. Fasting draws us nearer to God, as I fast and pray, I have found that my thoughts align more and more with the thoughts of God, I have become more sensitive to the things of God. I have learned through fasting that when there are toxins in the body, it is much harder for me to connect with God. In removing toxins from the body through fasting, my body is cleansed, as a result, becomes more sensitive, at times, leading to reactions to ingredients in foods, lotions, shampoos, soaps, detergents, and medicines. For these reasons, I have made lifestyle changes to remove toxin exposures to my body by switching products that I use personally for consumption and application to organic and all natural products as often as I can. Teachings in The Bible are that I am to keep my body clean of toxins, that I am made in the image of

God, that my blood has been purified and my body is cleansed by the blood of Christ, that my body is a temple where the Holy Spirit dwells.

2 Corinthians 7:1 1 Since we have these promises, beloved, let us cleanse ourselves from every defilement of body and spirit, bringing holiness to completion in the fear of God.

As a child, my parents made the decision that they would be vaccinate their children because it was required to attend schools. I have never taken a flu vaccine. I respect and appreciate doctors, the expertise they provide in healthcare, but I learned with my daughter, that doctors, though they are trained in medicine, they do not have all the answers, and their position is that they practice medicine. They do not always know the cause or the treatment for an issue. I personally believe that it is my place to care for myself, that I seek God in prayer and fasting for healing to identify the cause of an issue and natural ways to resolve them. I have seen the same physician for over 21 years now. At twenty-nine years of age, I was taking nine different prescription medications and still felt horrible. I remember feeling that I did not want to live anymore I felt so bad. In my history, I have often had reactions to various medications including antibiotics, pain medications, anti-nausea meds, ointments, band aids, and a few others. A friend suggested I got to a chiropractor. After a few months of chiropractic care, I began attending church where the chiropractor played in the worship band. It was where I began hearing the Word of God taught from The Bible. I learned scriptures and had a desire to serve God. I began attending or serving almost every service. It was when I began hearing the Word of God that I started my journey of learning the ways of God, the teachings of Jesus, how He bore stripes for my healing and that I am cleansed by the blood of Christ. Within months, I weaned myself off the medications. My doctor saw significant improvements in my overall health, so much of an improvement, he asked me what I had been doing, I shared with him about how I had started attending church, praying, and juice fasting. He asked me what I was juicing, how much I was

drinking a day, how I was making the juice, what was the brand of the juicer I was using, and where could he buy one. To this day, I see him rarely, usually as a check-in. He has offered to write prescription medications for me but has grown to expect that I decline them.

As a parent, my children were vaccinated until the last time my younger daughter was vaccinated; it was for the HPV vaccine. There were two doses required. The doctor asked very quickly if she would get vaccinated for it, I agreed without a thought about it. That night, I had the worst sinking feeling, like I had done something horrible. I sought the Lord in prayer about it. I began learning more and more about vaccines, the ingredients in them and because of what God had shown me, and my personal interpretation of the Book of Leviticus in The Bible, I repented and asked God to forgive me for agreeing to the immunization for my daughter. I never took her back for the second dose.

Leviticus 17:12 12 Therefore I say to the Israelites, “None of you may eat blood, nor may any foreigner residing among you eat blood.”

Leviticus 17:14 14 because the life of every creature is its blood. That is why I have said to the Israelites, “You must not eat the blood of any creature, because the life of every creature is its blood; anyone who eats it must be cut off.”

Vaccines are created by man, manufactured, and tested in labs, The Bible says that I am not to rest on human wisdom, but on God’s power. Vaccines use cell lines with an origin that can be traced back to human fetal tissue has been used in manufacturing or laboratory testing. I am a Christian and I believe life begins at conception. To take vaccines would be cooperating with and complicit with abortion, the end of a life created by God, this is murder, this is a sin against God and His Commandments that I would be held accountable by God. I believe that abortion is a sacrifice, blood of an innocent child to Satan. To take a vaccine would be a violation of my sincerely held religious beliefs.

1 Corinthians 2:5

5 so that your faith might not rest on human wisdom, but on God’s power.

To continue practicing my faith, I cannot be vaccinated. To take this into my body is a sin, it directly violates religious teachings from The Bible, my personal beliefs, as well as what I have learned through my own fasting, prayer, and supernatural experiences. We are made in the image of God, sanctified by the blood of Christ, we are cleansed by His blood. To take a vaccine would inject substances that when placed in the blood, poison, and pollute the bloodstream. God did not intend for me to be injected with vaccines into my body, tainting my blood to prevent illness. Jesus said it is the sick who need doctors.

Matthew 9:12

12 On hearing this, Jesus said, “It is not the healthy who need a doctor, but the sick.

Mark 2:17

17 On hearing this, Jesus said to them, “It is not the healthy who need a doctor, but the sick. I have not come to call the righteous, but sinners.”

To take the vaccine would be a sin, an act of disobedience to my faith and what I sincerely believe in my heart. The Bible tells us we are to trust God and His creation, taking COVID-19 vaccine would be a betrayal of my faith.

The Bible states in Genesis that God created man in His image, I believe that as His Word states, I am perfectly and wonderfully made. I believe that everyone has been created by the hand of God, that God knows what is better for each of us than we know for ourselves. God knows us intimately. He knows us before we are conceived. God is my shield, my protector, His Word says we are to trust Him, He will heal us, He will heal me.

Genesis 1:27 27 “God created us in his own image.”

Jeremiah 1:4-5

4 Now the word of the LORD came to me, saying,5 “Before I formed you in the womb I knew you, and before you were I consecrated you; I appointed you a prophet to the nations.”

Psalm 139:13-16 13 For you formed my inward parts; you knitted me together in my mother's womb. 14 I praise you, for I am fearfully and wonderfully made. Wonderful are your works; my soul knows it very well. 15 My frame was not hidden from you, when I was being made in secret, intricately woven in the depths of the earth. 16 Your eyes saw my unformed substance; in your book were written, every one of them, the days that were formed for me, when as yet there was none of them.

Exodus 15:26 26 He said, “If you listen carefully to the Lord your God and do what is right in his eyes, if you pay attention to his commands and keep all his decrees, I will not bring on you any of the diseases I brought on the Egyptians, for I am the Lord, who heals you.”

I have been with T-Mobile nearly twenty-two years, I have prayed for our company, our leaders, and for our employees. When we were under contract to be purchased by AT&T, I prayed that God would bring us a CEO so that we could stay magenta. I recall sharing this prayer with our site director and a senior manager, they said to me, “That would be nice, but AT&T” has more money than God, it’s going to happen.” And, “The deal is close to being done, not much chance it won’t go through.” I said, “I’m still praying.” I thank God, that He heard those prayers and that we are still magenta. I am grateful that God hears our prayers and answers them, He knows my heart, He knows my thoughts, and He knows how I have prayed for this company and the people in this company. Many of my co-workers come to me for prayer, for words of encouragement, for peace, for words of comfort, for the right words to speak in an interview, for promotions, for their children, their marriages, to stop hurricanes, for their vehicles, there is no end to the things they have asked me to pray for. It is an honor and a privilege to pray for others, I am only a conduit, an instrument in the hand of God. I am grateful that God led me to SunCom all those years ago. I am grateful that God heard my prayers for T-Mobile to be the company to buy SunCom when SunCom was for sale. My hope and prayer today, is that T-Mobile and our leaders is that we continue to navigate through these difficult times for

our employees, our company, our nation, and our world with grace and perseverance to achieve much success while continuing to be a leader in the wireless industry while continuing to offer hope and help to those in need as we often do.

Thank you for the opportunity to share my faith, some of my story, what I sincerely believe, I feel very strongly that God is my Healer, He is my Redeemer, my Strong Tower, my Source, He is my everything. In my darkest hours, when there was nothing, no one, Jesus has been there with me, and He is for me. As I have sought God in prayer about covid, about vaccines, and all that has come with it, God has shown me again and again that I am not to take vaccines. In all that I believe Him for, I cannot betray Him, I cannot go against what I believe. To take the COVID-19 vaccine would for me be a sin. God has blessed me with overall good health, I am fifty years old, I am not on any medications. God has healed me again and again. I cannot betray His promise that He will heal me, I have many experiences where He has. I understand not everyone believes as I do, I respect the beliefs of others even if they do not align with my own beliefs for it is God that gives us freewill to choose Him and to make choices for ourselves. My hope is that what I believe would also be respected.

Thank you for allowing me the opportunity to submit a request for a religious exemption. Thank you again for taking the time to read my letter, for allowing me to share what I believe, my faith, and a bit of my story.

*Thank you,
Susan Tucker*

96. T-Mobile confirmed receipt of the request the same day.
97. Toward the end of October 2021, A WebEx meeting was held with Ms. Tucker, McKiver Brown and HR Representative Ricardo Moyer. During the meeting, Ms. Tucker was informed that her accommodation request to work from home had been denied. Ms. Tucker asked for clarification on whether or not they were talking about her Religious Accommodation. They stated they were not. Ricardo went on to inform her that Family Medical Leave Act Leave may be an option if Ms. Tucker needed. Ms. Tucker in response stated, “With the changes that have occurred, I cannot go onsite without a vaccine, discussing a facemask is a moot point at this juncture.” Brown and Moyer agreed and ended the call.

98. Ms. Tucker became filled with anxiety regarding her employment. Ms. Tucker was mentally exhausted and upset by the issues regarding the constant beratement regarding COVID and vaccines. Other employees were vocal about not getting the vaccine and were not submitting accommodation requests, they came to Ms. Tucker and informed her that they did not want to start over in a new company and new job.
99. At the end of October 2021, the Coastal Carolina Fair was opened. McKiver Brown planned a team outing for the training team from L&D. Brown requested that Ms. Tucker attend. However, Mike Sievert, the CEO had announced that unvaccinated employees would not be permitted to participate in team outings. Ms. Tucker informed Brown that because of that announcement she could not attend and if she did they all would be in trouble. Mr. Brown attempted to involve Ms. Tucker in after-work get-togethers. However, due to all the harassment regarding vaccines Ms. Tucker did not feel it was appropriate to attend and further did not want to subject herself to further harassment.
100. November of 2021, Employees began to return to onsite, many having hybrid schedules. For the employees who were returning to the site, holiday festivities were starting. Ms. Tucker was invited but each invitation contained a statement that “Vaccination Required to Attend.” Ms. Tucker felt that because she was holding on to her religious beliefs had made her an outcast.
101. In December 2021, Ms. Tucker received multiple invites to holiday outings, leadership dinners, and holiday dinners. However, each of the invites stated “Must be Vaccinated to participate.” Ms. Tucker was excluded from all activities because of her religious beliefs.

102. At no point and time during Ms. Tucker's employment was her performance as an employee addressed. Ms. Tucker was considered an exemplary employee at all times, exceeding all goals as set forth by the Defendant.
103. On January 12, 2022, Ms. Tucker inquired about her request for exemption.
104. On January 13, 2022, the Supreme Court issued the opinion blocked President Joe Biden's vaccine and testing requirements aimed at large businesses, but allowed a vaccine for certain health care workers.
105. On January 28, 2022, T-Mobile Notified Ms. Tucker by email that if she had not received her first dose of the vaccine and uploaded the proof to the website vaccination verification by February 21, she would be placed on unpaid leave and terminated on April 2nd.
106. On January 30, 2022, T-Mobile affirmed that all employees would be required to be vaccinated EXCEPT for the employees working in retail and cell technicians.
107. During January and February 2022, despite vaccinations within the Charleston Call Center, COVID-19 was making it rounds and people became ill. In meetings which Ms. Tucker participated via Webex the conversations included who had been tested and who had gotten their results, discussions regarding a batch of bad tests. Further McKiver Brown was sent home with COVID. Mr. Brown shared with Ms. Tucker that he regretted getting the vaccine and would not be taking anymore shots. Mr. Brown further informed Ms. Tucker that despite being vaccinated there were several people onsite that were sick with COVID. Brown continued to ask Ms. Tucker if she was vaccinated.

108. On February 14, 2022, Ms. Tucker's twenty-second anniversary with the company came and went without one word of appreciation for her service. T-Mobile culture is celebrate milestones no matter how small. Ms. Tucker felt that the failure to recognize this accomplishment with all the attrition that T-Mobile had suffered as an intentional act because she would not get the vaccine.
109. On February 25, 2022, Ms. Tucker was informed by two Senior managers, Christina Sustaita and Chris Bodkin, that her religious exemption had been denied. They further informed her that she could be vaccinated and stay with the company. The Senior Managers informed Ms. Tucker that she could take as much as PTO she wanted to interview and asked her if there was anything they could do. Ms. Tucker informed them that she had not looked for a job in 23 years and had no idea where to start. Ms. Tucker was emotional.
110. On March 7, 2022, T-Mobile notified Ms. Tucker that due to the essential functions of her position T-Mobile denied her exemption/accommodation request.
111. On March 29, 2022, during a Webex meeting with Charleston Management including the Senior Director, Resource Planning Manager, Recruiter, L&D Manager, and Ms. Tucker the headcount of the center was discussed. The Resource Planning Manager stated that 2022 was the year of reducing the headcount and 2023 was the year of ramping up the headcount. As the meeting was ending, Gary Miller stated that he wanted to have a private conversation with Ms. Tucker. Ms. Tucker called Mr. Miller. Mr. Miller asked Ms. Tucker if Brown had talked to her. Ms. Tucker informed Mr. Miller that every single conversation involved Brown asking her if she had received the vaccine. Ms. Tucker

informed Mr. Miller that she had not received the vaccine and explained her religious beliefs. Mr. Miller told her to submit an exemption/accommodation request. Ms. Tucker informed Mr. Miller she had submitted a request and it was denied. Mr. Miller instructed her to submit it again. Ms. Tucker resubmitted her request. The Resubmission was not considered.

112. On April 1, 2022, Ms. Tucker was informed that because she had not been vaccinated and had no intention of getting vaccinated her employment would end. On the same day Lisa Dojan called Ms. Tucker to inform her that the termination sucks. Ms. Tucker informed Dojan that she did not understand T-Mobile's position because more and more companies were dropping their mandates, the Supreme Court had Ruled, and South Carolina had issued a law. Ms. Tucker further told her that she could go to the church, the store the gym, but could not go to work due to her religious beliefs.
113. Ms. Tucker was terminated from her employment on April 3, 2022.
114. On April 4, 2022, Ms. Tucker filed for unemployment.
115. On April 8, 2022, Ms. Tucker returned all security equipment.
116. On April 26, 2022, the Governor of South Carolina issued an executive order stating that all religious and medical exemption accommodation requests must be honored.
117. At no time was Ms. Tucker's request a hardship to the company due to Ms. Tucker's job requirements. Ms. Tucker had performed all essential functions of her position from home and in the facility for 2 years without a vaccine.
118. The Defendant failed and refused to accommodate Ms. Tucker's sincerely held beliefs.

119. That Ms. Tucker complained about the Defendant failing to grant her an exemption and accommodate her religion. The Defendant fired her from her employment in retaliation for her complaints regarding discrimination.
120. That as a direct and proximate result of the Defendant's intentional and unlawful action of wrongfully terminating Ms. Tucker, Ms. Tucker has suffered lost wages, emotional damages, compensatory and consequential damages.
121. That Ms. Tucker is entitled to an award of all damages available under the law for the actions of the Defendant discriminating against her based on her religion, failing to accommodate her request, subjecting her to a hostile work environment because of her requests, and retaliating against her by terminating her employment.
122. That Ms. Tucker was treated differently based on her religion.

**FOR FIRST CAUSE OF ACTION
RELIGIOUS DISCRIMINATION IN VIOLATION OF
TITLE VII**

123. That Paragraphs one (1) through one hundred and twenty-two (122) are hereby incorporated verbatim.
124. Title VII requires employers to make reasonable accommodations for employee's religious practices when doing so does not impose an undue hardship on the employer's business.
125. That Ms. Tucker has been treated differently based on her religion.
126. That the Defendant allowed Ms. Tucker to be discriminated against based on her religion in violation of the laws and their own policies and procedures.

127. That Ms. Tucker was considered an exemplary employee with absolutely no issues regarding performance. During the pandemic, Ms. Tucker performed all aspects of her position and even performed all duties without issue at the facility.
128. That Ms. Tucker properly requested an exemption from the COVID-19 vaccine in accordance with the law and the policy of the Defendant. Ms. Tucker presented an eight-page letter regarding her sincerely held religious beliefs.
129. That the Defendant failed and refused to grant Ms. Tucker an exemption contending that they could not grant the exemption because of a hardship. The Defendant sited to such things as “Diminish efficiency in other jobs,” “impair workplace safety,” and “cause coworkers to carry the accommodated employees share of work.”
130. Ms. Tucker’s exemption request would not have imposed a burden on anyone and there was no need for Ms. Tucker to be forced to choose between her religion and her livelihood.
131. The Defendant has failed to show that the burden was substantial in the overall context of the employer’s business.
132. Ms. Tucker was subjected to differential treatment based on her religious beliefs.
133. That Ms. Tucker was subjected to ridicule and differential treatment based on her religion. Other employees were not subjected to the same ridicule or differential treatment. The Defendant’s management subjected Ms. Tucker to unreasonable inquiries regarding the vaccine but on the other hand was permitted to participate when the Defendant needed a body to perform functions of her position.
134. That the Defendants discriminated against Ms. Tucker based on her Religion.

135. That the Defendants took adverse employment action against Ms. Tucker by:

- (a) Failing to protect Ms. Tucker from discrimination based on her Religion;
- (b) Refusing to enforce its own policies;
- (c) Terminating her employment under pretextual reasons.

136. That the Defendants subjected Ms. Tucker to discrimination in violation of the law.

137. That, as a direct and proximate result of the Defendants' intentional, unlawful and discriminatory actions, Ms. Tucker:

- (a) Suffered severe emotional distress;
- (b) Suffered lost wages and benefits;
- (c) Suffered future lost wages and benefits;
- (d) Incurred attorney's fees and costs of this action.

138. That Ms. Tucker is entitled to an award of damages in the amount of actual damages, compensatory damages, consequential damages, punitive damages, attorney's fees, costs of this action, and other damages such as this Honorable Court deems appropriate and just.

**FOR A SECOND CAUSE OF ACTION
RETALIATION FOR COMPLAINTS REGARDING RELIGIOUS DISCRIMINATION**

139. That Paragraphs one (1) through one hundred and thirty-eight (138) are hereby incorporated verbatim.

140. That Ms. Tucker was an employee as defined by State and Federal Law.

141. That the Defendant is an employer as defined by State and Federal Law.

142. That Ms. Tucker has made complaints regarding religious discrimination.

143. As a result of those complaints Ms. Tucker has been treated differently and subjected to retaliation.
144. That the Defendant retaliated against Ms. Tucker by terminating her employment for her requests and sincerely held religious belief.
145. That as a result of Ms. Tucker's complaint Ms. Tucker suffered retaliation for each of her complaints.
146. That at all times Ms. Tucker was considered an exemplary employee.
147. As a result of Ms. Tucker's complaints regarding discrimination based on her religion, hostile work environment, and hostile work environment based on her previous complaints the Defendant retaliated against Ms. Tucker by terminating her employment and subjecting her to a hostile work environment.
148. The Defendant's actions described herein were intentional and inflicted upon Ms. Tucker to insure severe mental and emotional distress.
149. As a result of Defendant's actions, Ms. Tucker has suffered irreparable injuries, including but not limited to loss of pay, benefits and other economic losses, emotional pain and suffering, mental anguish, humiliation, embarrassment, personal indignity, and other intangible injuries for all of which he should be compensated, including, future losses related to refusals to provide appropriate raises and positions.
150. That the Defendant is the direct and proximate cause of injury to Ms. Tucker.
151. That Ms. Tucker is entitled to an award of damages from the Defendant. That Ms. Tucker is entitled to recover damages from the Defendant in the amount of actual

damages, consequential damages, punitive damages, reasonable attorney's fees, the costs of this action and all other damages available pursuant to Federal and State Law.

**FOR A THIRD CAUSE OF ACTION
HOSTILE WORK ENVIRONMENT**

152. That Paragraphs one (1) through one hundred and fifty-one (151) are hereby incorporated verbatim.
153. That Ms. Tucker was an employee of the Defendant as defined by State and Federal Law.
154. That the Defendant is an employer in accordance with Title VII.
155. That the Defendants subjected Ms. Tucker to a hostile work environment.
156. That Ms. Tucker's work environment was abusive, to the point of severe and pervasive.
157. Ms. Tucker was subjected to discrimination based on her Religion.
158. That Ms. Tucker suffered severe emotional distress as a result of the Defendant's hostile work environment based on Ms. Tucker's sincerely held religious beliefs and requests for exemption/accommodation.
159. That Ms. Tucker's severe emotional distress was foreseeable as a result of the severe and pervasive work environment that the Defendant subjected Ms. Tucker.
160. That Ms. Tucker has been damaged as a result of the Defendant work environment.
161. That the Defendant is the direct and proximate cause of damage to Ms. Tucker.
162. That Ms. Tucker is entitled to actual, compensatory, consequential, and punitive damages from the Defendant for their actions.

PRAYER FOR RELIEF

WHEREFORE plaintiff prays that this Honorable Court:

- A. Accept jurisdiction over this matter, including the pendent claim;

- B. Empanel a jury to hear and decide all questions of fact;
- C. Award Ms. Tucker lost wages, future lost wages, lost benefits and future lost benefits;
- D. Award to plaintiff compensatory and consequential damages against the defendant;
- E. Award to plaintiff All damages available to Ms. Tucker damages against the defendant for their malicious discrimination against Ms. Tucker in violation of Title VII;
- F. Award to plaintiff the reasonable attorneys' fees and costs incurred in the prosecution of this matter;
- G. Award all damages available to Ms. Tucker pursuant to State and Federal Law;
- H. Permanently enjoin the defendants, their assigns, successors, agents, employees and those acting in concert with them from engaging in religious discrimination, disparate treatment or retaliation against plaintiff and
- I. Enter any other order the interests of justice and equity require.

Respectfully Submitted,

s/Bonnie Travaglio Hunt
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